**Re: Moving to a project list approach under the Environmental Assessment Act**

**ERO number**

019-4219

**Notice type**

Regulation

**Act**

Environmental Assessment Act, R.S.O. 1990

To whom it may concern:

Perhaps the Ontario government needs to listen to its own Auditor General with regards to the upcoming changes and streamlining to Ontario’s Environmental Assessment Act

“The public would expect a ministry named the Ministry of the Environment to take the lead and be proactive in ensuring that Ontario’s environment is protected for future generations. However, our work indicated that there are many areas where this is not the case,” Auditor General Bonnie Lysyk

Environmental assessment supports **better decision-making** by considering how a project's design could be optimized to minimize or outright avoid negative effects on the environment. An assessment identifies a project's potential effects. It also identifies a scope of factors to be considered, including mitigation measures. Thinking of these things early on in the project planning cycle gives proponents a chance to improve or revise plans.

Other benefits include:

* creating opportunities for meaningful public participation and engagement with Indigenous peoples
* advancing and addressing any potential impacts to Indigenous rights
* increasing protections for human health
* reducing project costs and delays
* reducing risks of environmental harm or disasters
* lessening the probability that environmental effects transcend national, provincial or territorial boundaries
* contributing to the responsible development of natural resources

<https://www.canada.ca/en/impact-assessment-agency/services/environmental-assessments/basics-environmental-assessment.html>

Ontario is the only Canadian jurisdiction in which environmental assessments are generally not required for private-sector projects. These projects—such as mining operations or chemical manufacturing facilities—proceed without an up-front evaluation of the environmental impacts of the project. Such impacts can be extensive and can affect Ontarians for many years. For example, as of March 31, 2015, the government identified that it had a liability of $1.2 billion to clean up 47 contaminated sites that were caused by mining in Ontario over the years. (See Section 3.10 Management of Contaminated Sites in our 2015 Annual Report.) With over 4,400 active and abandoned mine sites and 15,000 recorded mine hazards, MiningWatch Canada reports that Ontario ranks first in Canada as having the biggest environmental liability in the mining sector.

Pg 338 <https://www.auditor.on.ca/en/content/annualreports/arreports/en16/v1_306en16.pdf>

The province is currently responsible for significant costs to clean up contamination caused by mining activities because mining companies have failed to do so. Our 2015 report on the management of contaminated sites noted that, of the 10 contaminated sites with the largest provincial rehabilitation cost, four are former mineral extraction sites facing a total estimated rehabilitation cost of $968 million.

Pg 351 <https://www.auditor.on.ca/en/content/annualreports/arreports/en16/v1_306en16.pdf>

Mining and or Chemical have cumulative that can last for generations

Cumulative effects—meaning the combined impact of past, present and planned future activities in an area, including both human-initiated activities and natural processes—do not usually factor into the Ministry’s environmental assessment decision-making. The Ministry encourages, but does not require, project owners to assess the cumulative effects of a particular project. Failure to assess cumulative Environmental Assessments 363 Chapter 3 • VFM Section 3.06 effects can result in projects being approved without consideration of all the risks involved. For example, the cumulative effect assessment for a proposed landfill resulted in the project owners identifying a need for additional mitigation measures. These included controlling the timing of construction projects to reduce air quality, noise and groundwater contamination, as well as restoring wetland and forests damaged by the project. Other jurisdictions in Canada—including Alberta, British Columbia, Saskatchewan, the Northwest and Yukon Territories, and the federal government—require project owners to assess the cumulative effects of projects.

Pg 363 <https://www.auditor.on.ca/en/content/annualreports/arreports/en16/v1_306en16.pdf>

Ministry regional office staff reviews of streamlined assessments often identified deficiencies in the environmental assessment done by project owners. Such deficiencies confirm the need for the Ministry to provide feedback on streamlined assessments. In our review of a sample of streamlined assessments, we found that the Ministry identified deficiencies in about three-quarters of the assessments it reviewed. Such deficiencies include insufficient public and Indigenous consultation, lack of details to support the project owner’s assessment of environmental impact, and additional measures needed to mitigate impact on the environment.

Pg 359 <https://www.auditor.on.ca/en/content/annualreports/arreports/en16/v1_306en16.pdf>

The Ontario government is ignoring the public’s right to consultation on environmentally significant decisions as it allows companies off the hook for pollution costs and harm to at-risk species, according to a new set of [environmental audits.](https://globalnews.ca/tag/ontario-auditor-general/)



The auditor general’s annual report on the environment found the government has failed to recoup clean-up costs of hazardous spills and is giving blanket approval to all work proposals that would harm species at risk.

Under the Environmental Bill of Rights, Ontarians have an enshrined right to public information and consultation on decisions that may impact the environment, similar to French-language and employment rights.

But the audit said the Environment Ministry has failed to show leadership on that law — including by educating the public about their environmental rights — and some other ministries don’t have formal procedures for following it.

Ontario Green party Leader Mike Schreiner said the startling figures in the report, like approvals impacting at-risk species, speak to the government’s lack of commitment to environmental protection.

“(Premier) Doug Ford has set Ontario on a path towards environmental destruction,” he said. “It’s a sad day in this province when the auditor general is fielding questions around whether the Ministry of the Environment is even there to protect the environment.”

https://globalnews.ca/news/8392054/ontario-environment-audits-reports-general/